IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WP(C).No. 18198 of 2007(N)

PETITIONERS:

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1. G. KRISHNA PAI GOVINDA PAI,
   NADUVILEZHATHU THAKIDA VELI, KUTHIATHODU P.O.

2. OMANA P.B.,
   KANDATHIPARAMBIL, THIRUMALA BHAGOM P.O.,
   THURAVOOR, SHERTALLAI.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENTS:

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1. RETURNING OFFICER/UNIT INSPECTOR,
   KUTHIATHODU UNIT, OFFICE OF THE ASST.REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), SHERTALLAI.

2. THURAVOOR CO-OPERATIVE BANK LTD.NO.935,
   THURAVOOR P.O., SHERTLLAI, REPRESENTED BY ITS SECRETARY.

BY GOVT. PLEADER SRI. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 18198/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE ELECTION NOTIFICATION DATED 19.5.2007.

EXT. P2 : TRUE COPY OF THE ACKNOWLEDGMENT FOR THE RECEIPT OF THE NOMINATION PAPER OF THE 1ST PETITONER DATED 11.6.2007.

EXT. P3 : TRUE COPYOF THE SAME OF THE 2ND PETITIONER.

EXT. P4 : TRUE COPY OF THE RESIGNATION LETTER BY THE 1ST PETITIONER DT. 20.5.2002.

EXT. P5 : TRUE COPY OF THE RRELEVANT PAGE OF THE VOTERS LIST OF PARAYAKADAVU SERVICE CO-OPERATIVE BANK.

EXT. P6 : TRUE COPY OF DO.

K.M.JOSEPH, J.

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WP.(C) No.18198 of 2007

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Dated this the 28th day of June, 2007

JUDGMENT

Petitioners are members of a Co-operative Bank. They have approached this court for a direction to accept their nomination papers for the election. By an interim order this court directed the first respondent to accept the nomination papers of the petitioners. The reason for rejection of the nomination papers appears to be that they are members of another primary society. Counsel for the petitioners submits that the first petitioner lost in the election, while the second petitioner has succeeded.

Without prejudice to the right of any person to challenge the election of the second petitioner, the writ petition is closed.

(K.M. JOSEPH, JUDGE)

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